

United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---------------------------------------|-----------------|----------------------|------------------------|------------------|
| 10/087,891 | 02/28/2002 | Paul Kitson | KPG-5041US 8477 | |
| 31344 | 7590 04/06/2004 | | EXAMINER | |
| RATNERPRESTIA | | | CHU, JOHN S Y | |
| P.O. BOX 1596 WILMINGTON, DE 19899 | | | ART UNIT | PAPER NUMBER |
| | • | | 1752 | |
| | | | DATE MAILED: 04/06/200 | 4 |

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary Examiner | | | | | | |
|--|--|--|--|--|--|--|
| ## Examinar | * | Application No. | Applicant(s) | | | |
| John S. Chu | Office Action Summan | 10/087,891 | KITSON ET AL | | | |
| The MALING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Eatheristor of inversely to available under the proteinics of 3 CFR 1.136(a). In ro overt, however, may a reply be timely filed Eatheristor of inversely specified above is less than thirty 001 days, a reply within the statulary interiorm of thirty (30) days will be considered timely. If the period for reply specified above is less than thirty 001 days, a reply within the statulary interiorm of thirty (30) days will be considered timely. If the period for reply specified above is less than thirty 001 days, a reply within the statulary interiorm of thirty (30) days will be considered timely. If the period for reply specified above is less than thirty 001 days, a reply within the statulary interior of this problem of the period of the statulary product and part and will be communication. If the period for reply specified above is less than through 01 days and will replied (6) (A) 0.00 (11) (S) days will be considered in the communication. If the period for reply specified does the statulary product all gards and will replied the mailing date of this communication. If the period for replied is the statulary product and part and will replied the mailing date of this communication. If the mailing is the mailing date of this communication, even if treely fleet, each yield the communication. If the mailing is the mailing date of this communication, even if treely fleet, each yield and part and p | Onice Action Summary | Examiner | Art Unit | | | |
| A SHORTENED STATUTORY PERIOD FOR REPLY IS SETTO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Educations of the many is explained whether the investment of 3 TCF1 1.130(a). In no event, however, may a reply be limitly filled after SIX (8) MONTHS from the mailing date of the communication. If the peaced or new play secretical store is large than 100 (20) days, a reply within the statistical may be limitly filled after SIX (8) MONTHS from the mailing date of the communication. If the peaced or new play secretical store is large than 100 (20) days, a reply within the statistic may be mailing date of the communication or play within the statistic may be mailing date of the statistic properties. Fabrus to reply within them adjustment. See 37 CFR 1.704(b). Status 1) □ Responsive to communication(s) filled on 12 January 2004. 2a) □ This action is FINAL. 2b) □ This action is non-final. 3) □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) □ Claim(s) 1-42 is/are pending in the application. 4a) □ Of the above claim(s) | | | | | | |
| THE MAILING DATE OF THIS COMMUNICATION. Extensions of the may be excited under the provisions of 3 CFR 1.13(8). In no event, however, may a reply be limely flied after 5X (6) MCNTHS from the mailing date of this communication. Fabric to reply in specific date to the communication of the communication | The MAILING DATE of this communication app. Period for Reply | ears on the cover sheet with the c | orrespondence address | | | |
| 1) Responsive to communication(s) filed on 12 January 2004. 2a) This action is FINAL. 2b) ↑ This action is non-final. 3) │ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) ○ Claim(s) 1-42 Is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) ○ Claim(s) j -12 Is/are allowed. 6) ○ Claim(s) 1.2.16 and 30-32 Is/are rejected. 7) ○ Claim(s) 1.2.16 and 30-32 Is/are rejected. 8) ○ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) ↑ The graving(s) filed on is/are: a) │ accepted or b) │ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) │ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) │ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) │ All b) │ Some ' c) │ None of: 1. ○ Certified copies of the priority documents have been received. 2. ○ Certified copies of the priority documents have been received in Application No 3. ○ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Altachment(s) 1) │ Notice of Drattsperson's Patent Drawing Review (PTO-948) 3) │ Notice of Drattsperson's Patent Drawing Review (PTO-948) 5) │ Notice of Drattsperson's Patent Drawing Review (PTO-948) 6) │ Other: | THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply - If NO period for reply is specified above, the maximum statutory period w Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing | 6(a). In no event, however, may a reply be tim within the statutory minimum of thirty (30) days ill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE | nely filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. 8, 133) | | | |
| 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-42 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) 1.2.16 and 30-32 is/are rejected. 7) Claim(s) 3-15.17-29 and 33-42 is/are objected to. 8) Claim(s) 3-15.17-29 and 33-42 is/are objected to. 8) Claim(s) and subjected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) believed to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Altachment(s) 1) Notice of References Cited (PTO-882) 2) Notice of Oraftsperson's Patent Drawing Review (PTO-948) 3) Notice of Oraftsperson's Patent Drawing Review (PTO-948) 5) Notice of Internal Patent Application (PTO-152) 6) Other: | Status | | | | | |
| 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-42 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 5) Claim(s) is/are allowed. 7) Claim(s) 3-15.17-29 and 30-32 is/are rejected. 7) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cital (PTO-892) 2) Notice of Oraftsperson's Patent Drawing Review (PTO-948) 3) Notice of Informal Patent Application (PTO-152) 6) Notice of Informal Patent Application (PTO-152) 6) Other: | 1) Responsive to communication(s) filed on 12 Ja | nuary 2004. | | | | |
| Disposition of Claims 4) □ Claim(s) 1-42 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) □ Claim(s) is/are allowed. 6) □ Claim(s) is/are allowed. 7) □ Claim(s) is/are allowed. 8) □ Claim(s) 15.17-29 and 33-42 is/are objected to. 8) □ Claim(s) 15.17-29 and 33-42 is/are objected to. 8) □ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some * c) □ None of: 1. □ Certified copies of the priority documents have been received. 2. □ Certified copies of the priority documents have been received in Application No 3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) □ Notice of References Cited (PTO-892) | 2a)⊠ This action is FINAL . 2b)□ This | | | | | |
| 4) Claim(s) 1-42 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) 1.2.16 and 30-32 is/are rejected. 7) Claim(s) 3.15.17-29 and 33-42 is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing shoet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of Paferences Cited (PTO-892) 2 Notice of Draftsperson's Patent Drawing Review (PTO-948) 3 Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) Paper No(s)/Mail Date | | | | | | |
| 4a) Of the above claim(s) is/are withdrawn from consideration. 5) □ Claim(s) is/are allowed. 6) □ Claim(s) is/are allowed. 7) □ Claim(s) is/are allowed. 7) □ Claim(s) are subject to rejected. 7) □ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some * c) □ None of: 1. □ Certified copies of the priority documents have been received. 2. □ Certified copies of the priority documents have been received in Application No 3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) □ Notice of References Cited (PTO-892) Apper No(s)/Mail Date 5) □ Notice of Informal Patent Application (PTO-152) Paper No(s)/Mail Date | Disposition of Claims | | | | | |
| 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) Reper No(s)/Mail Date | 4a) Of the above claim(s) is/are withdraw 5) ☐ Claim(s) is/are allowed. 6) ☒ Claim(s) 1,2,16 and 30-32 is/are rejected. 7) ☒ Claim(s) 3-15,17-29 and 33-42 is/are objected. | to. | | | | |
| 10) The drawing(s) filled on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) Paper No(s)/Mail Date | | | | | | |
| Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some colon None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) Paper No(s)/Mail Date | · | | | | | |
| Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) 6) Other: | | | | | | |
| Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) Paper No(s)/Mail Date | | | | | | |
| 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) 6) Other: | 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. | | | | | |
| a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) Representation of the priority documents have been received. | Priority under 35 U.S.C. § 119 | | | | | |
| 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 4) Interview Summary (PTO-413) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) Paper No(s)/Mail Date | a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). | | | | | |
| 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) Paper No(s)/Mail Date | Attachment(s) | | | | | |
| 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) 6) Other: | | | | | | |
| | 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) 6) Other: | | | | | |

Application/Control Number: 10/087,891

Art Unit: 1752

1

DETAILED ACTION

This Office action is in response to the amendment filed January 12, 2004.

Claim Rejections - 35 USC § 103

- 1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 2. Claims 1, 2, 16, 30, 31 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over VAN DAMME et al '005.

The claimed invention is drawn to an imageable element comprising, in order a substrate having a hydrophilic surface, an underlayer comprising a first polymeric material over the hydrophilic surface, and a top layer comprising a second polymeric material over the underlayer, in which: the second polymeric material is crosslinked,; the top layer is ink receptive and insoluble in an alkaline developer; the top layer and the underlayer are each removable by the alkaline developer following thermal exposure of the element; and the element comprises a photothermal conversion material.

VAN DAMME et al discloses a photosensitive element for lithographic printing plates comprising on a support having a hydrophilic surface a photosensitive layer and a thermosensitive layer wherein the thermosensitive layer may be crosslinked. This disclosure meets the claimed imageable element, see column 3, lines 20-30 of VAN DAMME et al.

VAN DAMME et al fails to explicitly disclose a crosslinked top layer in an example.

Application/Control Number: 10/087,891

Art Unit: 1752

It would have been *prima facie* obvious to one of ordinary skill in the art of photoimageable elements to crosslink the thermosensitive top layer as suggested by VAN DAMME et al and reasonably expect same or similar results for making high quality printing plates.

The arguments by applicant have been carefully considered, however for independent claims the scope of the claim remains *prima facie* obvious to the skilled artisan for the following reason(s): VAN DAMME et al '005 clearly teaches that the thermoplastic layer "may further be crosslinked to make the imaging element less prone to damage caused during handling of the imaging element." (column 3, lines 26-30), thus the skilled artisan is clearly directed to cross-link the thermoplastic top layer for the express purpose of making the element less prone to damage.

Further in light of the disclosure of VAN DAMME et al '005 and the language that is used in claim 1, 16 and 30 which generically claims that a "second polymeric material is crosslinked", the claims as presented are prima facie obvious to the skilled artisan.

VAN DAMME et al '005 fails to teach any of the specific types of material to be crosslinked as well as fails to provide the method of crosslinking the second polymeric material, thus the dependent claims as presented are not FINALLY rejected.

3. Claims 3-15, 17-29 and 33-42 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As stated in the previous paragraph, the specifics relating to the crosslinked ingredients and the method in which the ingredients are crosslinked are not explicitly disclosed and with no

Art Unit: 1752

directed teaching in the reference to the type of ingredients and the method of crosslinking those ingredients, the dependent claims are objected as stated above.

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Chu whose telephone number is (703) 308-2298. The examiner can normally be reached on Monday - Friday from 9:30 am to 6:00 pm.

The fax phone number for this Group is (703) 305-7718.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0661.

John S. Chu

Primary Examiner, Group 1700

J.Chu April 2, 2004